

BERNIE RAKOZY TRUSTEE  
P. O. BOX 1738  
BOISE, IDAHO 83701  
208 343-4476

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO

U.S. COURTS  
01 OCT 22 PM 1:38  
REC'D. FILED.  
CAMERON S. BURKE  
CLERK IDAHO

In Re:	)	Chapter 13
	)	
SAM C. BURBANK	)	Case Number 98 00656
894 N SLUICE WAY	)	
KUNA, ID 83634	)	
	)	TRUSTEE'S MOTION TO DISMISS
Debtor(s)	)	AND NOTICE
-----	)	

MOTION TO DISMISS

COMES NOW the undersigned Chapter 13 Trustee, and pursuant to 11 U.S.C. Section 1307(C) hereby moves to dismiss this case for "cause" including the following:

THE DEBTOR IS DELINQUENT ON HIS CH. 13 PAYMENTS TO THE TRUSTEE FOR \$3249.42 TO BE CURRENT THROUGH OCTOBER 2001.

YOU ARE HEREBY NOTIFIED THAT if you object to entry of an Order Dismissing this Chapter 13 case for the cause stated above, YOU ARE REQUIRED TO CONTACT THE CHAPTER 13 TRUSTEE at the above address to either (A) request that this motion be set for a hearing before the Court, or (B) to make arrangements with the Chapter 13 Trustee to cure any default under the Chapter 13 plan.

YOU ARE FURTHER HEREBY NOTIFIED THAT if you fail to contact the Chapter 13 Trustee within 20 days of the date of service of this motion, that the Chapter 13 Trustee will present an Order dismissing this case to the Court for entry without further notice to you or a hearing.

DATED This 22nd day of October, 2001

  
CHAPTER 13 TRUSTEE

Certificate of Service

The undersigned hereby certifies that he/she mailed a true copy of this Trustee's Motion to Dismiss and Notice, to the Debtors and to their attorney (if any) at the address(s) and on the date shown below:

SAM C. BURBANK  
894 N SLUICE WAY  
KUNA, ID 83634

HAROLD NOACK, ATTORNEY  
P.O. BOX 875

BOISE, ID 83701

Date of Service: 10-22-01

By: CRISTI BOLIN

41